

21. (Thrice Amended) A headrest assembly for connecting a headrest to a seat frame, the headrest assembly comprising:

a headrest guide attached to the seat frame and being formed with two generally cylindrical sleeves as a single, unitary molded component, said sleeves being rigidly interconnected to each other adjacent ^{of said sleeves} at least one of their upper and lower ends in a fixed parallel relationship with one another, and each ^{of said sleeves} sleeve forming a channel wherein ^a centerlines ^{for of said} of each channel are parallel with respect to one another; and
a headrest insert having two generally parallel rods, each ^{of said rods} rod fixed at one end with respect to the headrest and slidable at an opposite end with respect to one channel in the headrest guide.

REMARKS:

At the time of the Office Action, claims 9, 11, 13 and 21-27 were pending. Claim 22 stands allowed and claims 26 and 27 have been found to contain allowable subject matter. Claims 9, 11, 13, 21 and 23-25 stand rejected. Pursuant to this Amendment, claims 9 and 21 have been amended. Claims 9, 11, 13 and 21-27 remain pending in the subject application.

Before addressing the merits of the outstanding Office Action, the undersigned respectfully submits the following comments. On June 19, 2002, the Examiner issued a final Office Action in the subject application. The Applicant attempted to submit an Amendment After Final on September 17, 2002. On October 7, 2002, the Examiner mailed an Advisory Action indicating that the proposed Amendment would not be entered because the proposed changes to the claims would have raised new issues and would have altered the scope of the claim limitations. Thus, rather than file an Appeal at that time, the Applicant chose to file an RCE so the Examiner would consider the amended claims. In reviewing the outstanding Office Action, it appears to the undersigned that the Examiner has simply restated the same arguments he made in the Office Action dated June 19, 2002. The undersigned respectfully submits that, to the detriment of the Applicant, the Examiner did not address the changes made to the claims in the amendment submitted with the RCE. If, as the Examiner indicated, the proposed changes to the claims alter the scope of the claims, it only seems fair that the Examiner should address those changes so the Applicant can ensure he obtains the broadest

protection possible for his invention. Even so, rather than simply ask the Examiner to reconsider his position and specifically address the last changes made to the claims, the Applicant has further amended the claims in the hope of addressing the Examiner's concerns, and in the hope of placing this case in condition for allowance. It is, however, respectfully requested that if the Examiner continues to believe the amended claims are still not in condition for allowance, that the Examiner at least explain why these latest changes to the claims do not place them in condition for allowance.

Allowance of claim 22 is noted. Since claims 26 and 27 already depend from claim 22, claims 26 and 27 are in condition for allowance. Please note that it is not understood why the Examiner has repeated his objection to claims 26 and 27. Since claim 22 has been allowed and claims 26 and 27 are dependent on claim 22, claims 26 and 27 are in condition for allowance. It is understood that the subject matter of claims 26 and 27 could be inserted into a new independent claim, but, at this time, there is no desire to do so. Thus, the Examiner should simply indicate that claims 26 and 27 are allowable.

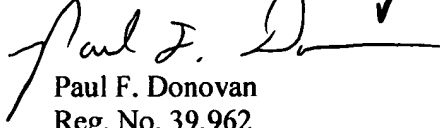
Claims 9, 11, 13, 21 and 25 stand rejected under 35 U.S.C. 102(b) as being anticipated by Izuno et al. Claims 9, 11, 21 and 25 stand rejected under 35 U.S.C. 102(b) as being anticipated by Wallis. Claims 9, 11, 21 and 23-25 stand rejected as being anticipated by Russell. These rejections are traversed for at least the following reasons.

There are many structural features in claims 9 and 21 that cannot be read on each of these three references. Claims 9 and 21 recite that the headrest guide is formed with two generally cylindrical sleeves as a single, unitary molded component. Izumo's headrest guide does not have two cylindrical sleeves. Russell and Wallis disclose two cylindrical sleeves, but the sleeves are not formed with the headrest guide as a single, unitary molded component. Furthermore, the cylindrical sleeves in amended claims 9 and 21 are rigidly interconnected to each other adjacent at least one of their upper and lower ends. Clearly the cylindrical sleeves in Russell and in Wallis are not rigidly interconnected to each other. Thus, the language of amended claims 9 and 21 avoids the direct reading on the three applied references. Claims 11, 13, and 23-25 depend from one of Claims 9 and 21, and are likewise allowable for the same reasons applied thereto, as well as for the additional claimed subject matter in each.

Reconsideration of the rejected claims and allowance of all of the remaining pending claims is respectfully requested.

In the event that the Examiner continues to hold that all of the claims are not in condition for allowance, it is respectfully requested that the Examiner telephone the undersigned at the number indicated below to discuss this case in greater detail.

Respectfully submitted, ✓


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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

IN THE CLAIMS:

Claims 9 and 21 were amended. Additions are underlined and deletions are shown in brackets.

9. (Four Times Amended) A headrest assembly for connecting a headrest with respect to a seat frame of a vehicle, the headrest assembly comprising:

a headrest guide having two, generally cylindrical sleeves, each sleeve forming a channel, the headrest guide being formed with the two cylindrical sleeves as a single, integrally molded, unitary component and the two sleeves being rigidly interconnected to each other adjacent at least one of their upper and lower ends in a fixed parallel relationship with respect to one another so that the channel of each sleeve is parallel with the other[, the headrest guide being formed as a single, integrally molded, unitary component];

a headrest insert; and

two generally parallel rods, each rod fixed at one end with respect to the headrest insert and slidable at an opposite end with respect to one channel in the headrest guide.

21. (Thrice Amended) A headrest assembly for connecting a headrest to a seat frame, the headrest assembly comprising:

a headrest guide attached to the seat frame and being formed with two generally cylindrical sleeves as a single, unitary molded component [having two, generally cylindrical sleeves], said sleeves being rigidly interconnected to each other adjacent at least one of their upper and lower ends in a fixed parallel relationship with one another and each sleeve forming a channel wherein centerlines of each channel are parallel with respect to one another; and

a headrest insert having two generally parallel rods, each rod fixed at one end with respect to the headrest and slidable at an opposite end with respect to one channel in the headrest guide.